IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of   :
Andrew J. POLCHA and   :
Michael P. POLCHA   :
                                                  :
                                                  : Group Art Unit:
Serial No.:   10/748,680   :
                                                  : Examiner:
Filed: December 31, 2003   :
                                                  :
For: RECOVERABLE BIOMETRIC IDENTITY SYSTEM AND METHOD

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the indicated date. Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

☒ 1.   This Information Disclosure Statement is being filed (i) within three months of the U.S. filing date of a U.S. application other than a CPA continued prosecution application under §1.53(d) OR (ii) within three months of the date of entry of the national stage as set forth in §1.491 in an international application OR (iii) before the mailing date of a first Office Action on the merits OR (iv) before the mailing of a first Office Action after the filing of a Request for continued examination under §1.114. No certification or fee is required. 37 C.F.R. §1.97(b).

☐ 2.   This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).

☐   a.   I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
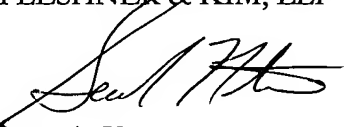
BEST AVAILABLE COPY

☐   b.   I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☐   c.   Attached is our check no. _____ in the amount of $180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

☐   3.   This Information Disclosure Statement is being filed after the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee. Attached is our check no. _____ in the amount of $180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 C.F.R. §1.97(d).

☐   a.   I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

☐   b.   I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☒   4.   Applicants wish to bring to the Examiner's attention the existence of the following   co-pending U.S. Patent Applications which are directed to related technical subject matter:

Serial No.	Filed	Examiner
10/748,438	December 31, 2003	Unassigned
10/748,743	December 31, 2003	Unassigned
10/748,436	December 31, 2003	Unassigned

☒   5.   To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.
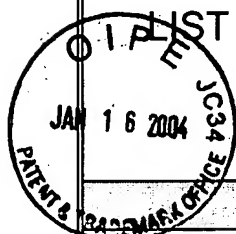
Respectfully submitted,
FLESHNER & KIM, LLP

Rene A. Vazquez
Registration No. 38,647
Samuel W. Ntiros
Registration No. 39,318

Correspondence Address:
P.O. Box 221200
Chantilly, VA 20153-1200
Telephone: (703) 766-3701
Date: January 16, 2004

MLF:RAV:SWN/kdb

BEST AVAILABLE COPY

LIST OF PRIOR ART CITED BY APPLICANT (PTO-1449)	ATTY. DOCKET NO. IQB-0015	APPLN. SERIAL NO. 10/748,680
	APPLICANT(S) Andrew J. POLCHA et al.	
	FILING DATE December 31, 2003	GROUP

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	*PATENT NO.	*ISSUE DATE	*INVENTOR NAME	CLASS	SUBCLASS	FILING DATE

U.S. PATENT APPLICATION PUBLICATIONS

	*PATENT APPLN. PUB. NO.	*PUB. DATE	*APPLICANT	CLASS	SUBCLASS

U.S. PATENT APPLICATIONS

	*APPLN. NO.	*FILING DATE	*INVENTOR	CLASS	SUBCLASS

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation Yes	Translation No

OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.)

	L.C. Jain et al. "Intelligent Biometric Techniques in Fingerprint and Face Recognition," CRC Press International Series on Computational Intelligence, (1999)
	MIT Media Laboratory, Vision and Modeling Group "An Automated System for Detection, Recognition & Coding of Faces," found at www-white.media.mit.edu/vismod/demos/facerec/system.html
	John Daugman "How Iris Recognition Works," University of Cambridge, The Computer Laboratory, found at www.cl.cam.ac.uk/users/jgd1000/
	"Iris Matching Engine, and Search Speed," found at www.cl.cam.ac.uk/users/jgd1000/
	Gerhard Zinser "Scanning Laser Doppler Flowmetry: Principle and Technique" Current Concepts on Ocular Blood Flow in Glaucoma, Kugler Publications (1999) pages 197-204 and website www.dgp.toronto.edu/`karan/courses/csc418/fall_2002/notes/colour.html
	"Cornell Nano-Researchers Create Component for 'Lab on a Chip' that cuts DNA separation from a day to a matter of minutes," Cornell News, May 15, 2000

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

BEST AVAILABLE COPY